

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
September 28, 2004

The meeting was called to order at 6:30 p.m. by Mayor Dirksen.

Council Present: Mayor Dirksen, Councilors Moore, Sherwood, Wilson, Woodruff

- STUDY SESSION

- > LEAGUE OF OREGON CITIES REGISTRATION

Mayor Dirksen and Councilors Sherwood, Wilson and Woodruff indicated they would be attending the LOC meeting in November. Mr. Monahan noted he would send information to the Council Candidates and indicate that if they are elected, they are invited to attend the LOC annual meeting as well.

- > LIBRARY ART DEDICATION OCTOBER 9, 2:00 P.M.

Mr. Monahan noted the art being dedicated is the Children's Room art and the glass panel.

- > ADMINISTRATIVE ITEMS

- a. Calendar Review

- September 29: Lunch at TVF&R Station 51 – Noon
 - October 1: Strategic Planning Meeting 1-5pm
 - October 12: Council Business Meeting 6:30 pm
 - October 19: Council Workshop Meeting 6:30 pm
 - October 26: Council Business Meeting 6:30 pm
 - October 31: Daylight Savings Time Ends
 - November 2: Election Day
 - November 4 – 6: League of Oregon Cities Conference – Portland
 - November 9: Council Business Meeting 6:30 pm
 - November 11: Veterans Day – City Hall Closed
 - November 16: Council Workshop Meeting 6:30 pm
 - November 23: Council Business Meeting 6:30 pm
 - November 25: Thanksgiving – City Hall Closed
 - November 26: Holiday – City Hall Closed

Councilor Moore indicated he is out of town from October 23 to November 2.

Mr. Monahan distributed the Council's Strategic Planning Agenda for October 1.

Mr. Monahan noted the joint Tigard, Tualatin, and Tigard/Tualatin School Board meeting will be on Monday, November 15, at the School District office.

> SET DIRECTION OF 360 DEGREE REVIEW
HOW COUNCIL WANTS STAFF TO PROCEED

City Manager Bill Monahan reminded Council that as part of his performance evaluation last May, Council suggested a 360 degree program evaluation be conducted in January. Sandy Zodrow, Human Resources Manager, has provided copies of articles about programs other cities use.

Mr. Monahan explained while checking on some professional growth programs for himself, he checked into the ICMA professional credential program, a part of which includes a 360 degree performance review program. He decided to go through the ICMA credential program and has purchased the program. Copies of the ICMA Performance Based Appraisal program were distributed (Exhibit 1 – Copy on file with the City Recorder), which he then reviewed. He explained the ICMA program is directed toward city management and would not require having to develop something new or be rewritten from a private sector program. Regardless of whether Council uses this officially, he will complete this assessment as part of his credentialing process. The first 17 questions determine the ranking criteria for questions 18 through 150.

Mr. Monahan stated this might be the instrument Council would like to use or as a base for further discussion if they wanted to go a different way. Ms. Zodrow could also review what she has learned in her review of the various 360 degree programs.

Human Resources Director Sandy Zodrow explained she has not personally administered a 360 degree review program, but has talked with other HR Directors who have. Council might want to purchase a packaged system or start one from scratch, which has many problems to overcome to make sure there is validation to what you are requesting. There are pluses and minus to any 360 degree review process, ranging from obtaining useful information to being a real disaster. The attractiveness of using the ICMA program is that it is set up for use in the public sector, criteria methodology has been established, and can be used right away. She asked the Council if the ICMA program is what they hoped to use.

Councilor Sherwood stated she was one of the Councilors who had requested a 360 degree performance review of the City Manager, but she wanted involvement from not only the Council, but subordinates, community members, department heads, and others.

Councilor Wilson stated he did not have any experience with this type of program, but was concerned about the people who would be selected to complete the surveys, to make sure there is a good representation on the survey panel. He would be concerned some people might hold either hold a grudge or be a good buddy of Mr. Monahan that would skew the results.

Councilor Moore explained the process he was familiar with is that Mr. Monahan would submit a list of people to Council and Council and Mr. Monahan would jointly approve the list of respondents. Last year, his employer conducted a 360 degree review program on his performance, and he liked what he saw. He concurred that in some areas, such as Finance, because Craig Prosser is Finance Director, Mr. Monahan did not have to focus so much on the Finance area, so that area may not be ranked as high. He concurred that the ICMA program would probably be better than those focusing on the private sector because they understand the city manager's responsibilities. He would insist that the responses be anonymous.

Councilor Sherwood stated the School District has used a 360 degree review program which she was ready to get copies of to see if it could be adapted to Mr. Monahan's position.

Councilor Woodruff stated he was concerned about who would receive and complete the surveys, but felt this provides extra scientific measure to the review process, and seems to be the way to go.

Mr. Monahan pointed out the sample list of how responders are selected and identified.

Councilor Moore cautioned that some people might not have a good understanding of how the city operates which could throw off the results.

Councilor Sherwood stated if one or two responses are not in the line with others, it might be they do not understand the issues, and if they are way off the scale, those responses are generally ignored.

Council discussed how responses would be tallied.

Mr. Monahan explained he would be required to complete a self-assessment survey and page 4 of the packet states, "After the results are analyzed, the report will contain aggregate rates from most groups of raters. Only your self-assessment and that of your supervisor(s) will be reported individually." He stated he paid \$195 for the 15 sets of surveys and envelopes. He asked what Council would like to do. He presented this tonight and suggested Council review the packet and discuss it further in a couple of weeks. Ms. Zodrow has an option which would cost \$40,000.

The Council concurred to look at the packet and come back in a couple of weeks to decide on the next step.

Ms. Zodrow urged Councilors to contact her if they have concerns or questions about the ICMA Performance Based Assessment program.

> DUST PLAN REVIEW

Risk Manager Loreen Mills indicated DUST stands for "Divvy Up Space and Technology." Conceptual plans for the office layout of the Permit Center and City Hall was described. The plans indicated where each department would be located, new conference rooms, and walls. There will be a need to purchase more modular units and cubicle panels. Work in the Permit Center is proceeding with metal studs being installed for the new walls and HVAC installation scheduled for installation next week. There was a fire in the old electrical panel which will require replacement. Some ceilings will be dropped to keep noise levels low.

Ms. Mills indicated that in City Hall, there will be a new door into Town Hall and a new control room constructed adjacent to Town Hall. The new entrance will allow the judge and court clerk to enter and exit the Town Hall during court directly instead of going through Red Rock Conference Room, even if meetings are been held. There will be limited construction in City Hall. The project mainly involves painting and recarpeting, and relocation of cubicles. There will also be additional conference rooms in City Hall.

Ms. Mills stated the Permit Center is scheduled to take place November 11, 12 and 13, and be open for business on Monday, November 15. There will be limited counter service on November 12, and City Hall is closed for the Veterans Day holiday on November 11.

Mr. Monahan reviewed the history of acquisition of the modular buildings beginning in 1988. Several departments have expressed interest in using the modular buildings, especially by the Police Department.

Ms. Mills stated one council meeting may need to be moved during the Town Hall construction. Mr. Monahan explained the option is either the Water Building Auditorium or the Library Conference Room.

Ms. Mills stated there will be a total of 96 employees in the Permit Center and over 30 will be in City Hall.

Mr. Monahan stated the City has anticipated this move for a number of years and has put money aside from the General and Building Funds for this project.

> DISCUSS COUNCIL GROUNDRULES – VISITOR’S AGENDA

Mr. Monahan stated that Joanne Bengtson contacted members of the Oregon Association of Municipal Recorders to ask how other municipalities handled citizen comments at their jurisdiction’s council meetings. Eleven responses were received which are shown on the spreadsheet. Other cities and counties call this citizen comment, oral communication, or citizen communication, and the time limit varies. He stated whatever the Council decides, the statement on the sign-in sheet needs to be consistent with the Groundrules.

The Council concurred to change the statement “Visitor’s Agenda” to “Citizen Communication.”

Mr. Monahan stated he would develop the resolution to be placed on an upcoming Council meeting agenda.

Study session recessed at 7:31 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the Council and Local Contract Review Board Meeting to order at 7:38 p.m.
- 1.2 Roll Call: Mayor Dirksen, Councilors Moore, Sherwood, Wilson and Woodruff were present
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports

Councilor Moore stated he would be unable to attend the Willamette River Water meeting; Councilor Sherwood indicated she would attend that meeting.

Councilor Wilson stated he attended the Tualatin Basin Natural Resources Coordinating Committee Meeting yesterday at which time his proposed program was discussed. The Committee agreed to forward the statement to the Metro Council for official comment. The statement was discussed at length and nearly everybody seemed satisfied. Several committee members and citizens came up to him after the meeting and complimented him on his proposal.

1.5 Call to Council and Staff for Non-Agenda Items

Mayor Dirksen introduced Rob Williams, new president of the Youth Advisory Council. Mr. Williams stated he is in the 9th grade at Jesuit High School, has been involved in the Youth Advisory Council since July 2003, and is interested in music, drama and city government.

2. PROCLAMATIONS

2.1 Proclaim Race Equality Week

2.1 Proclaim SMART Week (Start Making A Reader Today)

Hearing no objections, Mayor Dirksen stated he would sign the proclamations.

3. VISITOR'S AGENDA (Two Minutes or Less, Please)

- Alice Ellis Gaut, 10947 SW Chateau Lane, Tigard, distributed copies of her letter and one from Tim Ramis (Agenda Item #3, Exhibit 1, copy of which is on file with the City Recorder). Ms. Gaut explained she is on the mailing list relating to the Tualatin Basin Goal 5 process and received Mr. Ramis' letter. Mr. Ramis indicated in his letter he is advocating for certain regulatory positions on behalf of several land owners he represents. Mr. Ramis is also the City of Tigard's City Attorney. She is not sure whether Mr. Ramis has a conflict between representing Tigard and advocating for regulations which might not reflect Tigard's interest.

Mayor Dirksen stated he appreciated this being brought to the Council's attention. He had received the letter but had not read it in detail.

Councilor Wilson stated he also appreciated this being brought to Council's attention. He had also received the letter but had just skimmed through it, and had not looked at the possible conflict.

Ms. Gaut stated that attorneys in private practice face the possibility of having conflicts all the time, and there are ways to legitimize situations which

otherwise could result in a very sticky situation. She had received phone calls from other citizens who had received this letter asking what she thought about it because they didn't feel this was right.

Mr. Monahan suggested he talk with Mr. Ramis and review the action he took as it relates to his role as Tigard City Attorney, and then discuss this at the Council study session in two weeks.

Councilor Wilson agreed Mr. Monahan's talking with Mr. Ramis would be a good starting point.

Councilor Sherwood and Mayor Dirksen stated they would need time to review both the letter from Ms. Gaut and Mr. Ramis.

- John Frewing, 7110 SW Lola Lane, Tigard, noted the City has focused on annexation of the Bull Mountain area for a long time. Another area the City needs to annex is the Metzger area, in order to protect how the area is developed as well as to protect the greenway trail in that area. He was in City Hall recently asking to see the topographic information for the Metzger area and was told Tigard does not have that information. He also asked to see the urban planning area agreement covering the Metzger area, and the person at the Permit Counter was not aware if one existed.

Mr. Frewing requested the City Council create a check-off list for the Metzger area, including if one does not exist, getting an urban planning agreement approved with Washington County, is Tigard doing what it should be doing, monitoring and advocating for things that would be appropriate for Metzger once annexed into Tigard.

Councilor Wilson said this discussion should begin after the November election regardless of the outcome of the Bull Mountain annexation vote.

Mr. Frewing stated he had talked with Mr. Hendryx about the topographic information, and the person at the counter that he asked about the urban planning agreement was Kristie.

Mr. Monahan suggested that Community Development Director Jim Hendryx be asked to look into the specifics relating to the Metzger area and the Washington Square Regional Plan, to see what authority, commitment or opportunities Tigard has to be involved in the planning of the Metzger area. Mr. Hendryx would also need to contact his counterpart with the Washington County Community Development who has responsibility over the Metzger area to possibly begin the process to get the urban planning area agreement

executed if there isn't one in which Tigard's role is defined, and then report back to Council with that information. The urban planning area agreement for this area goes back a number of years, and staff would first need to review the existing agreement. He asked Council if they wanted staff to wait until after the election.

Councilor Wilson stated that if the Bull Mountain Annexation vote is for approval, there is an action plan for that area. If the ballot measure fails for Bull Mountain annexation, the question would be now what regarding Bull Mountain. If the measure fails, he would question how Tigard handles the unincorporated areas that are in the City's planning area, and whether the existing arrangement with Washington County continues.

Mr. Monahan noted this analysis might help the City build the foundation for future discussion.

4. **CONSENT AGENDA:** Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt the Consent Agenda as follows:

- 4.1 Approve Council Minutes for August 17 and August 24, 2004.

The motion was approved by a unanimous vote:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

5. TIGARD BEYOND TOMORROW VISION UPDATE

- a. Staff Report: Liz Newton, Loreen Mills – City Administration

Risk Manager Loreen Mills reviewed the results of the survey which were included in the staff report.

Assistant to the City Manager Liz Newton then explained the Vision Task Force has had two meetings, and future meetings will take all this information and look at the goals and direction statements, determine if any modifications are needed, set some direction for the action committees that will be meeting later in the fall, and hopefully be able to forward them to Council before the

January goal setting. There is a really good group in the Vision Task Force. One concern they will be looking at overlaying on all the target areas, is the idea of communication to the citizen and citizen involvement, and looking at how the goals can be modified to ensure some real strides can be made in the communication area. The next Vision Task Force meeting is on September 29.

Mayor Dirksen asked how the survey was distributed and how were people chosen.

Ms. Mills explained the Task Force did not select who would complete the survey. The survey was sent out in the Cityscape, was available in the lobby of the library and City Hall, and was also available on the website. Citizens themselves decided whether they wanted to respond or not. All the results will be on the City website beginning next week, including the detailed comments and the overview summary.

Mayor Dirksen noted this was an opportune time for this information because Council holds its goal setting session shortly after the beginning of the year. These goals are not only for the coming year but also for longer term goals that will be seen over a few years. This survey information will help Council determine what areas should be targeted.

Councilor Wilson asked if these questions were different from earlier surveys, as there seems to be more open-ended questions.

Ms. Newton responded this was similar to prior surveys, but there were more open ended questions this time. The Vision Task Force looked at the issues that were presented and the goals and was trying to have some consistency, but also make determinations about specific areas they felt the City might want to focus on. They wanted to ask the community whether they agreed with those specific concerns.

6. PUBLIC HEARING TO FINALIZE FORMATION OF SANITARY SEWER REIMBURSEMENT DISTRICT #26 (121st AVENUE)

- a. Mayor Dirksen opened the public hearing.
- b. City Engineer Gus Duenas reviewed the staff report including a PowerPoint presentation, which outlined that the construction of improvements have been completed and final costs have been determined. (Copy of the PowerPoint slides are on file in the office of the City Recorder) He noted that the final

cost of the project on page two needed to be corrected to reflect the cost of \$41,741.35.

- c. Public Testimony: None
- d. Staff Recommendation: Approve the proposed resolution to form Reimbursement District No. 26 as modified by the City Engineer.
- e. Council Discussion

Mr. Duenas responded to questions about the cost to homeowners and indicated the cost will vary.

- f. Mayor Dirksen closed the public hearing.
- g. Consideration by Council: Motion by Councilor Sherwood, seconded by Councilor Moore to approve Resolution No. 04-68

RESOLUTION NO. 04-68, A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 26 (121ST AVENUE SOUTH OF ROSE VISTA DRIVE)

The motion was approved by a unanimous vote:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

7. SUMMER READING PROGRAM RECAP

Library Director Margaret Barnes presented a PowerPoint presentation as her staff report to review the variety of activities conducted during the Summer Reading Program. A copy of the PowerPoint slides was included in the staff report.

8. POLICE DEPARTMENT REPORT

Police Chief Bill Dickinson presented a staff report which incorporated a PowerPoint presentation outlining the activities of the Police Department. Information was presented about each of the divisions, including Patrol, Criminal Investigation Unit, Public Information Office, Training, Accreditation and Grants, Research Analysis and Planning, and Records and Property Files. The Department is looking at creating several regional satellite stations in order to deploy officers more efficiently. Proposed

stations would be recommended in the Washington Square area, and if the Bull Mountain annexation is approved, one in that area.

Councilor Wilson asked Chief Dickinson to comment about the statements made during the Bull Mountain Annexation process that Tigard has a higher crime rate than New York City.

Chief Dickinson responded that Tigard has a high volume of petty theft which occurs in the large commercial area of Washington Square. New York City has a much larger problem in that they have a high violent crime rate, which includes assaults and murder, which Tigard does not. All police agencies are required to send reports to the FBI, which calculates and distributes the crime statistics.

9. RESURRECT THE AMERICAN DREAM DAY CAMPAIGN

Ms. Newton reviewed the concepts of the American Dream Campaign which the National League of Cities is sponsoring. The campaign is designed to:

- "Increase awareness of the growing divides between rich and poor and haves and have-nots and why solving this problem should matter to all Americans;
- Build a bipartisan commitment to working together at all levels of government to develop programs and policies that will begin to solve the problems, and
- Urge support for a domestic agenda in 2005 that (1) supports families and children through access to a good education and affordable health; (2) puts affordable housing and homeownership within reach for all Americans, and (3) grows local economies to increase jobs and opportunities to develop new skills to match job openings."

Councilor Wilson expressed his concern that the proposed policy statement might conflict with local jurisdictions.

Ms. Newton explained this will also be used to develop next year's legislative agenda.

Councilor Sherwood noted there are many families who are homeless as there is no affordable housing available, go hungry on a daily basis, and do not have access to needed health care. She would support this proposal.

Ms. Newton pointed out the events taking place throughout the nation today to draw attention to the campaign as outlined.

Motion by Councilor Sherwood, seconded by Councilor Moore to approve Resolution No. 04-69

RESOLUTION NO. 04-69, A RESOLUTION OF COMMITMENT TO RESURRECTING THE AMERICAN DREAM


The motion was approved by the following vote:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	No
Councilor Woodruff	-	Yes

10. COUNCIL LIAISON REPORTS - None
11. NON AGENDA ITEMS - None
12. The meeting was adjourned at 9:20 p.m.


Jane McGarvin, Deputy City Recorder

Attest:


Mayor, City of Tigard

Date: October 26, 2004